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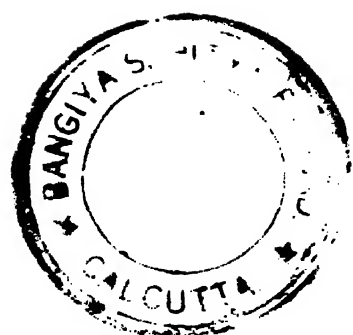
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THE
ASIATIC JOURNAL

AND
MONTHLY REGISTER

FOR

British India and its Dependencies :



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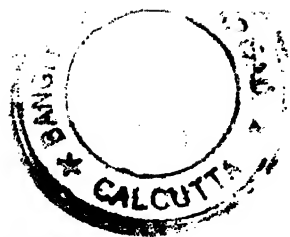
JULY TO DECEMBER 1828.

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THE ASIATIC JOURNAL

FOR

JULY, 1828.

Original Communications,

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THE EAST-INDIA AND CHINA TRADE.

THE antagonists of the East-India Company, fully sensible of the advantages of being early in the field, are already bestirring themselves. Upon a question in which the bulk of the people of England must be admitted to be wonderfully ill-informed, there is abundant scope for every variety of misrepresentation; and the sooner statements are promulgated throughout the country and rivetted upon men's minds, to suit any given object connected with a question so little understood, the greater is the probability of success in favour of a party which condescends to avail itself of such an expedient. Considering that the exclusive privileges, granted to the East-India Company by the act of the 53d of his late Majesty, will not expire until the 10th April 1834,* it is rather early for a host of pamphlets directed against the renewal of their charter, to issue from the press,—productions not likely to prove profitable speculations to the authors, in respect either to present pecuniary recompense or to posthumous reputation.

In polemics, especially in all political controversies, a degree of artifice or dexterity is allowable, or at least is visited with mitigated censure, which, in the simple transactions of ordinary life, is reputed dishonourable. To enlist in one's cause the prejudices of the ignorant; to abuse the simplicity of people who implicitly confide in the veracity of allegations which they have no means of examining; to flatter the follies of one, the resentment of another, the dishonest views of a third; these expedients to gain an end, are not, in politics, held to be fraudulent. In a contest with a great public body like the East-India Company, supposed to be possessed of considerable weight and influence, which may counteract any irregular attempts upon their power, such expedients, on the part of their adversaries, may even be considered by some

* On the expiration of three years' notice by Parliament, any time after the 10th April 1831, and payment of what is due from the public to the Company, the term and exclusive trade to cease and determine. 53 Geo. III. c. 135, § 3.

some as fair and just. Moreover, the battle (to keep up our metaphorical phraseology) being to be fought, in a great measure, with arithmetical weapons, the Company's adversaries, by commencing thus early, commit themselves to certain arguments built upon the existing state of things, which state may undergo a material change before the subject is formally discussed in Parliament; and the benefits, if any, resulting from such a change in the facts, they generously (if anonymous writers can ever claim the merit of generosity) resign to the Company's partizans.

It may be concluded that we have not suffered the various ephemeral productions which have recently appeared on the subject of the East-India Company's exclusive privileges to pass unnoticed. We have read them attentively and impartially. It is no affectation of candour which induces us to avow some preconceived opinions on this important subject; they could not be avoided. But interest and prejudice have as little influence upon us, in considering this question, as upon any individual who may read this declaration. Whatever sentiments, therefore, we may now, or at any future period, express, in regard to the East-India Company's monopoly, as it is called, will be perfectly honest and independent.

None of the productions to which we have referred appear to us to deserve particular observation at the present moment: they may be available, hereafter, as conflicting witnesses; for it is amusing to observe how, in their eagerness, these pamphleteers, like Bays's soldiers, encounter each other. One publication, indeed, which has been mightily puffed into notice, as a work of some authority, requires a few remarks from us, which may be the means of cautioning those persons into whose hands this journal may fall, against reposing confidence in the statements of writers upon this subject, and in the eulogiums with which these publications are ushered into the world in the public newspapers, the editors of which naturally assume that the facts from which the deductions are made are irrefragable.

The publication to which we allude is the "Report of the Committee of the Liverpool East-India Association, on the subject of the trade with India; presented to the Association at a general meeting, 21st March 1828." We have no knowledge of the individual who drew up this report, for such documents are usually the work of an individual; but whoever he may be, he has evinced a wonderful degree of polemical skill: it is one of the most artful and deliberate specimens of misrepresentation which ever fell under our observation, and they have not been few.

It would require a work of much greater dimensions than the "Report" itself to develop the systematic imposture which it discloses: we think it sufficient to point out some of the instances of misrepresentation contained in the "report," and to leave our readers to apply the principle which prevails in our courts of justice, as well as amongst mankind in general, whereby a witness proved guilty of intentional falsehood in one or two instances, is held to be altogether unworthy of credit.

The attack upon the East-India Company in this "Report" is chiefly directed against that part of their exclusive privileges which interdicts free trade with China. The writer sets out with a position, which forms the basis of his argument throughout, namely, that the object of the statutes under which the Company retain the tea trade, was that of securing cheap teas to the British public; that the Company have shamefully violated the condition under which they obtained their "supposed privileges," and have, in fact, forfeited their monopoly, in law, long ago: "a point," it is affirmed, "of which

which those who will take the trouble to inquire, can scarcely fail to be convinced." In order, however, to save the reader the toil of inquiry, the writer establishes his argument as follows :

The 10th section of the 18th Geo. II. cap. 26, provides, in the clearest manner, that the East-India Company, and their successors, shall, with the view "*to keep the price of tea in this kingdom upon an equality with the price thereof in other neighbouring countries of Europe,*" import such quantities of tea, "*from any parts of Europe,*" as may be necessary for this purpose. The 10th [it should be the 11th] section of the same statute provides, that if the Company "*shall, at any time, neglect to keep this market supplied with a sufficient quantity of tea, at reasonable prices, to answer the consumption thereof in Great Britain,*" it shall be the duty of the Lords Commissioners of the Treasury to grant licenses to any other persons whatsoever, to import teas on the same conditions, and for the same purpose. This statute has never been repealed, and ought, therefore, at the present moment to have the full force of law. It has not only not been abrogated, but repeatedly confirmed. The 3d section of the 14th of Geo. III. cap. 34, repeats, word for word, the provision to license private-traders to import teas, in case the East-India Company should neglect to import a sufficient quantity to keep the prices on an equality with those of the continent of Europe. The same provision is again repeated in the 3d [it should be the 5th] section of the 16th of the same reign, cap. 51.

Your Committee quote from a collection of charters and statutes prepared, shortly after they received their last charter, "for the use of the East-India Company," and distributed by them to their officers and public departments, for their guidance. Of the two last statutes which have been noticed, the only sections contained in this collection are those which your committee have quoted ; and, with respect to the latest of them, the Company's officer who framed it expressly states, that the whole act, *except the provision in question, is expired.*

The celebrated commutation act of 1784 by no means annuls any of the provisions to which your committee have referred. On the contrary, it makes further provisions (as far as regards the Company's modes of sale) for securing to the public cheap teas. It tells them expressly, that "it is just and reasonable," that they should "contribute their utmost endeavours for securing to the public the full benefit which will arise from an immediate and permanent reduction of prices." Since the year 1784, tea is the subject of no less than fourteen statutes, in not one of which is there a syllable tending to repeal the provisions previously enacted for the security of the public.

The principal acts regulating the affairs of the East-India Company are the two last charters ; that is, the statutes of 1793 and of 1813. The first of these makes no specific mention of the tea trade, except in so far as it confirms, with trifling and valueless exceptions, the whole monopoly as it stood before the passing of the act ; which, in law and reason, is surely a confirmation of what was enacted for the advantage of the public, as much as of what was enacted against it ; that is, in favour of the East-India Company.

In the last charter, the monopoly of the tea trade, and the exclusive privilege of trading to the dominions of the Emperor of China, are left untouched to the East-India Company. The open intercourse with other countries of the East, and in all commodities, tea excepted, which were conceded to the nation in this case, called for express provisions in favour of the East-India Company : they are accordingly provided by the 2d and 8th sections of the act. In the first of these it is provided, that the monopoly shall be exercised conformably to former acts, not repealed in the present ; and, among such repealed acts, those securing cheap teas to the public are most unquestionably not included ; nor could they be so, without a most flagrant neglect of its duty on the part of the Legislature, or what is worse, without supposing a collusion between it and the East-India Company to defraud the public.

We have quoted the whole passage, to avoid the possibility of being charged with what we charge upon the writer ; and now let us see whether he has or has

has not fairly quoted his authorities. The sections referred to are almost literally as follows :

And whereas it may happen that the tea imported by the said Company may not always be sufficient to answer the consumption thereof in Great Britain, and to keep the price of tea in this kingdom upon an equality with the price thereof in other neighbouring countries of Europe ; be it enacted, &c. that it shall and may be lawful for the Company to import such quantities of tea as they shall think necessary, from any parts of Europe, under license from the Lords Commissioners of the Treasury, § 10.

If the said Company shall at any time neglect to keep the market supplied with a sufficient quantity of tea, at reasonable prices, to answer the consumption thereof in Great Britain, it shall and may be lawful for the said Commissioners of the Treasury to grant licenses to other persons to import tea into Great Britain from Europe, § 11.

It is impossible not to perceive, from these two sections, that the act of Geo. II. was passed to obviate the stringency of the restriction against the importation of tea from Europe, and the temptation to smuggling owing to the high duties imposed upon that article. The 10th section, therefore, authorized the Company, *if they pleased*, to import tea from Europe ; and in order that the country might not be at the mercy of a public body, which, through impolicy or imprudence, as well as selfishness, might deprive it of a necessary of life, it invested the Lords of the Treasury with the power of allowing other persons to import tea from Europe.

It is a fact uncandidly concealed by the reporter, that this law was passed for the purpose of suppressing the system of smuggling, through the medium of the Swedish and Danish Company's imports, the chief part of which was directed to the supply of this country. A committee of the House of Commons was appointed in 1745 to inquire into the causes of smuggling ; and the duty on tea was reduced to 1s. per lb. and 25 per cent. on the gross sale price. A sudden stoppage, however, of the usual supply from Europe might have been prejudicial, and therefore a legal mode of introducing tea from Sweden and Denmark was provided.*

But assuming that the act was passed to compel the Company "to keep the price of tea in this kingdom upon an equality with the price thereof in other neighbouring countries of Europe;" and assuming that the Company have failed to fulfil this condition, or, to use the words of the report, that they have "taken a shameful advantage of their supposed privileges;" what is the penalty? The Lords of the Treasury *may* (not *shall*) allow other persons to import tea from Europe. Have no persons applied for licenses ; or has the Treasury refused them? In either case, how are the Company to blame? Circumstances may render the latter willing to allow such an interference with their monopoly ; and if the law is imperative upon the Treasury, why does not the Liverpool Association apply for licenses? In a moral point of view, this Association is more culpable than the Company ; the members affect to see an exorbitant profit extorted from their fellow subjects : they have the means of counteracting it, and they tamely look on.

But independent of this consideration, what lawyer or practical man would have the assurance to hold the act of Geo. II. to be now in operation as regards the import of tea from Europe, in the face of the eighth section of the 53d Geo. III. c. 155, which, after it had been enacted (§ 2) that all prior acts relating to the trade in tea, repugnant to that act, were thereby repealed, declares

* In 1764, it was computed that of the eleven millions of pounds of tea consumed in this country, eight millions were smuggled. The quantity now smuggled, it is supposed, from official data, is not more than 20,000 lbs.

declares that "it shall not be lawful for any person or persons, save with the special leave or license of the Company, to import any tea into the United Kingdom from any port or place whatsoever?" The reason had ceased, and the law was suffered to expire.

The Commutation Act of 1784 (24 Geo. III. c. 38) which, in the passage already quoted from the report, is described as making "further provisions for securing to the public cheap teas,"—an act the wisdom and policy of which are seldom disputed,—it now suits the "reporter" to designate as "a measure of the minister of the day to support the East-India Company at the expense of the nation," which, he affirms, was, after it passed, "worse off than during the smuggling system." How stands the fact? From 1784 to 1786 the importation of tea rose from five millions of pounds to twenty-one million pounds and a half; the putting-up prices, instead of being set at the arbitrary will of the Company, were fixed by the act, and the Company were required to sell the tea without reserve, if but a penny per pound advance was made upon those prices.* If it be meant that the nation could buy tea more cheaply of smugglers, who paid no duty, than of the Company who paid $12\frac{1}{2}$ per cent., we can understand the proposition; but if it be asserted that the nation lost by the quadrupling of the regular importation of tea, and by its being offered them at a price reduced by sixpence per pound on the average of all teas, and by two shillings per pound on some sorts, the statement is untrue.

With respect to the prices thus fixed by the Commutation Act, the writer says, "it is remarkable that the Company's prices, down to the present hour, exceed this (maximum) by full 15 per cent." This is intelligible enough; it is a charge that the East-India Company contravene the law. We were about to examine the truth of this allegation, when, reading a little further, we found this sapient reporter endeavouring to demonstrate the extravagant disproportion between the reduction in the Dutch prices of tea and those of the English Company, by a comparison between the respective prices of 1772 and 1827; in doing which it must have been his object to represent the Company's prices in the latter year as high as possible; yet (will it be believed?) the putting-up prices of the year 1827 are stated precisely the same as are set forth in the Commutation Act, although the writer had previously asserted that they were fifteen per cent. higher!

The Report contains the following passage respecting the Canadian tea trade:

The Company has lately sent teas direct from China to Canada. The results of this speculation afford matter of curious illustration. Your committee have before them the account of one of these sales, which took place at Quebec in the month of September last, and it enables them to exhibit the following comparison with the Company's sale prices in London, of a corresponding period.

	September 1827.	Quebec.	September 1827.	London.
Hyson Skin		2s. $2\frac{1}{10}$ d.	per lb.	3s. $3\frac{1}{10}$ d.
Young Hyson	3	$7\frac{8}{10}$	.....	4 $7\frac{1}{4}$
Hyson	4	$2\frac{4}{10}$	.....	4 11
Best Souchong	2	$6\frac{1}{10}$	.....	4 8
Inferior ditto.....	2	$0\frac{8}{10}$	.....	3 8
Congou	2	$2\frac{4}{10}$	.....	2 $5\frac{8}{10}$
Bohea	1	$3\frac{6}{10}$	.....	1 7
Pekoe	3	$6\frac{1}{10}$	.....	3 8
Gunpowder	4	$10\frac{1}{10}$	.....	5 $0\frac{1}{2}$

This

* In some sorts of tea, the Company have voluntarily reduced the advance to one farthing.